

DATE OF HEARING	Wednesday, 7 March 2012
PANEL MEMBERS	Councillor Dobbs (Chairman) Councillor Simons Councillor Khan
APPLICATION TYPE/REF	Review of Premises Licence MAU 063300
LICENSEE	Punch Taverns Plc
ADDRESS	Jubilee House, Second Avenue, Burton Upon Trent, Staffordshire, DE14 2WF

PREMISES DETAILS	The Roundhead Public House, Bretton Court, Rightwell, Bretton, Peterborough, PE3 8DU
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LICENSEE HEARD	Yes	
LICENSEE REPRESENTED		Yes

Mr Matthew Phipps, TLT Solicitors
Mr Peter Scobie, Punch Taverns

WITNESSES FOR LICENSEE		No
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THE FOUR LICENSING OBJECTIVES

Prevention of crime and disorder Public safety

Prevention of public nuisance Protection of children from harm

LICENSING OBJECTIVES UNDER WHICH REPRESENTATIONS WERE MADE

Prevention of crime and disorder

Prevention of public nuisance

**REPRESENTATIONS: RESPONSIBLE AUTHORITIES & INTERESTED PARTIES
ATTENDING AND/OR INTENDING TO SPEAK**

NAME/DETAILS	ATTENDING	SPEAKING
PC Grahame Robinson	Yes	Yes

The Sub-Committee has read the report and relevant material and listened to all the evidence and submissions. The Sub-Committee has also considered the national guidance and the council's statement of licensing policy.

FINDINGS OF FACT

The Sub-Committee finds the following facts:

1. There had been a number of incidents of crime and disorder at the premises, this had in turn resulted in the police inspection of the premises being undertaken;
2. The premises, under the current DPS, had fallen into an extremely dirty and derelict state;
3. A drugs test carried out on both toilets at the premises had proved to be positive, with evidence of cocaine abuse taking place at the venue;
4. Since the review request, there had been another violent incident at the premises; and
5. Contact had been made with Punch Taverns and Mr Peter Scobie following the last serious incident, and the premises had been closed with immediate effect.

IRRELEVANT REPRESENTATIONS

There were no irrelevant representations.

DECISION MADE

**Review of Premises
Licence**

The Sub-Committee has considered the relevant representations made today and previously submitted in line with the licensing objectives.

During the Sub-Committee's deliberations we have had regard to the Government Guidance, specifically paragraphs 11.26 and 11.25, also paragraphs 12 and 13 of the Hearings Regulations and to our own Statement of Licensing Policy.

Our decision therefore is:

To amend the existing licence conditions in the terms suggested by Cambridgeshire Constabulary, save for the following amendments:

- i) The hours of opening to be 09.00 to 23.00, Monday to Sunday; and
- ii) Two SIA registered doormen to be present between the hours of 20.00 to close, Monday to Sunday.

ADDITIONAL CONDITIONS ATTACHED (if any)

1. *Conditions set out in the operating schedule (as amended or otherwise)*
2. *Additional conditions (if any) proposed by responsible authorities*
3. *Additional conditions proposed by applicant*
4. *Additional conditions arising from issues considered by the Sub-Committee in respect of any relevant representations*
5. *Any further conditions considered necessary for the promotion of the Licensing Objectives*

2. Conditions proposed by the Responsible Authority:

- i) The supply of alcohol will be for consumption 'ON' premises only;
- ii) A log will be maintained by door staff, which will include logging on and off, the SIA registration numbers of staff employed and a brief record of any incidents dealt with. This will include any age verification scheme and any other refusal;
- iii) Door staff and bar staff to be vigilant in relation to asking individuals to leave before they become too drunk. They must ensure the safety of the individual and the public are a priority;
- iv) Staff training in relation to identifying and preventing sales of alcohol to any person who is, or appears to be drunk should be undertaken on a monthly basis. This training, together with ongoing training to prevent underage sales, should be recorded in a written format and be available to an authorised officer upon demand;
- v) CCTV recording equipment and associated cameras will be maintained once a week and will record and store images for a period not less than 28 days. A record of maintenance will be maintained;
- vi) CCTV cameras will be positioned so that they cover the front and rear aspect of the property in addition to internal rooms and the bar service area;
- vii) Notices advising that CCTV has been installed on the premises shall be posted so that they are clearly visible to the public within the licensed premises;
- viii) Drinks shall only be available for consumption from plastic vessels or toughened glasses;
- ix) Where glass bottles are used, they will be retained and disposed of on the premises;
- x) No children under the age of 18 are allowed to access the premises: and
- xi) The staff at the Roundhead are to co-operate at all times with persons acting in an official capacity in relation to the premises.

4. Conditions proposed by the Sub-Committee:

- i) The hours of opening to be 09.00 to 23.00, Monday to Sunday; and
- ii) Two SIA registered doormen to be present between the hours of 20.00 to close, Monday to Sunday.

REASONS FOR DECISION, LINKED TO FINDINGS OF FACT

In view of the Findings of Fact and submissions made, the Sub-Committee was satisfied on a balance of probability and considering all the circumstances that it was appropriate to review the Premises Licence and to amend the licence conditions. The Licence holder did not object to the majority of the conditions proposed by the Cambridgeshire Constabulary but did make representations in relation to the requirement for door staff at the premises and the reduction in the hours of the licence activities on Friday and Saturday nights. Notwithstanding the current voluntary closure of the premises the Sub-Committee were concerned as to the severity of the violent incidents that had occurred and accordingly felt that a reduction in licensing hours was appropriate as was the presence of door staff in the evenings to prevent any further incidents of crime and disorder.

SECTIONS OF THE NATIONAL GUIDANCE AND THE COUNCIL'S STATEMENT OF LICENSING POLICY REFERRED TO IN THE SUB-COMMITTEE'S DECISION:

Council's Statement of Licensing Policy

- Objectives: *section 4 on Page 5*
- Other Legislation : *section 7 page 7*
- Reviews: *section 16 on Page 12 and 13*
- Delegation / Decision Making / Administration: *Section 17 page 13 and 14*

Guidance issued under Section 182 of the Licensing Act 2003

- Reviews: *Section 11 pages 98 to 102*
- Determining applications: *Section 9 pages 78 to 81*

LEGAL ADVICE GIVEN DURING DELIBERATION

Legal advice was given to the panel with regard to the powers of adjournment available to them under paragraph 12 of the Hearing regulations which could be used to adjourn to a specified date but did not appear to extend to staying proceedings in anticipation of a specified event.

CRIME AND DISORDER ACT 1998	Were there any implications under this Act? If so give details
<p><i>Section 17 imposes a duty to have due regard to the likely effect of the exercise of its functions and to do all it can to prevent crime and disorder.</i></p>	
Human Rights Act 1998	How were the following articles considered
<p>Article 1 – <i>Every person is entitled to the peaceful enjoyment of his possessions.</i></p>	<p>The Sub-Committee read the report and relevant material and listened to the evidence and submissions. The national guidance and the Council's statement of Licensing Policy were also considered.</p>
<p>Article 6 – <i>Everyone is entitled to a fair trial</i></p>	<p>The Sub-Committee read the report and relevant material and listened to the evidence and submissions. The national guidance and the Council's statement of Licensing Policy were also considered.</p>
<p>Article 8 – <i>Everyone has the right to respect for his private and family life, his home and his correspondence.</i></p>	<p>The Sub-Committee read the report and relevant material and listened to the evidence and submissions. The national guidance and the Council's statement of Licensing Policy were also considered.</p>
<p>DATE OF SUB-COMMITTEE HEARING</p>	<p>7 March 2012</p>

The applicant, together with relevant authorities and interested parties who made representations, has the right to appeal against this determination. There is a period of 21 days from the notification of this decision to commence an appeal by giving notice to the Justices' Chief Executive for the Magistrates' Court. Details will be sent to the relevant parties with the written notice of this decision forthwith.